

PATENT APPLICATION
Attorney Docket No.: 1400-1072C4
Client No.: 10072-US-CNT4

REMARKS

Claims 71-81, 95 and 107 and 110 are currently pending, of which claims 71 and 95 are in independent form.

By way of the present response, claims 84-94 have been cancelled without prejudice, limitation, estoppel or waiver. New dependent claims 107-110 have been added.

Base claims 71 and 95 are amended.

No new matter is added hereby.

Favorable reconsideration of the present patent application as currently constituted is respectfully requested.

Regarding the Provisional Double Patenting Rejections

Claims 7, 84 and 95 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over (i) claims 65, 97 and 108 of copending Application No. 09/782,412; and (ii) claims 90, 99 and 105 of the copending Application No. 09/782,107.

Without acquiescing in the characterization of the claims of the present patent application or of the allegedly conflicting claims of Application Nos. 09/782,412 and 09/782,107 as set forth in the outstanding Office Action in connection with the pending

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double patenting rejections, Applicant has enclosed herewith an appropriate terminal disclaimer in accordance with 37 C.F.R. §1.321 with respect to each of the double patenting references. It is therefore respectfully submitted that the pending double patenting rejections have been obviated hereby.

Regarding the Claim Rejections - 35 U.S.C. §101

In the pending Office Action, claims 84-94 stand rejected under 35 U.S.C. §101. Without acquiescing in the characterization of claims 84-94 provided in the Office Action, Applicant has cancelled claims 84-94 without prejudice, limitation, waiver or estoppel. It is therefore believed that the §101 rejections have been rendered moot.

Regarding the Claim Rejections - 35 U.S.C. §103

Claims 71, 72, 74, 77, 79, 84, 85, 87, 90, 92 and 95 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,958,006 to Eggleston et al. (hereinafter the Eggleston reference) in view of MAPI Developers Forum Post "MAPI Notification" dated April 12, 1996 (Carthy et al., hereinafter Carthy) and further in view of U.S. Patent No. 6,381,634 to Tello

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et al. (hereinafter the *Tello* reference) and U.S. Patent No. 5,826,023 to Hall et al. (hereinafter the *Hall* reference). Further, additional dependent claims are also rejected under 35 U.S.C. §103(a) as being unpatentable over a number of combinations: (i) claims 73, 78, 86 and 91 over *Eggleston, Carthy, Tello* and *Hall* in view of U.S. Patent No. 6,289,105 to Murota (hereinafter the *Murota* reference); (ii) claims 75, 80, 88 and 93 over *Eggleston, Carthy, Tello, Hall* and Official Notice; and (iii) claims 76, 81, 89 and 94 over *Eggleston, Carthy, Tello, Hall* and in view of U.S. Patent No. 6,304,881 to Halim et al. (hereinafter the *Halim* reference).

Without acquiescing in the characterization of the rejected claims and/or of the cited art provided in the Office Action, Applicant respectfully submits that the foregoing §103(a) rejections have been overcome or otherwise rendered moot by way of the present response. Pending base claim 71 is directed to an embodiment of a wireless system coupled to a messaging host and to a wireless data network. As currently amended, the claimed wireless system comprises, *inter alia*, a redirector component configured to interface with the messaging host via a wide-area packet network wherein one or more data items are received at the

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message system for a user and have a first address identifying a mailbox that is viewable at the user's computer. Substantially identical features are also recited in base claim 95 as currently constituted.

In reply to Applicant's prior response dated February 10, 2009, the Examiner commented as follows at page 2 of the Office Action:

With regard to claim 71, and Applicant's assertion that Tello "does not teach or suggest a first email address associated with the user's computer for the data items" (Remarks 14-16), the Examiner respectfully disagrees. As an initial matter, it is noted that the language "associated with" is very broad and requires a minimal relationship between the user's computer and the first address to be anticipated. The well-known name address taught by Tello is associated with the ISP's mail server, which is analogous to the server 115 in Eggleston, which also processes electronic messages for the user. When considered in combination, Eggleston and Tello teach a first and second address associated with the user, wherein the first address is associated with a host device such as an email server and the second address is associated with a mobile device.

Without necessarily acquiescing in the Examiner's remarks relating to the interpretation of the phrase "associated with", Applicant has amended the language to sufficiently distinguish between the features of the claimed embodiments and the Tello

reference. In view of the present amendments, Applicant continues to take the position that *Tello* does not teach or suggest a first email address identifying a mailbox that is viewable at a user's computer for the data items. As argued in the prior response of February 10, 2009, the *Tello* reference is merely concerned with email address portability, i.e., the need for email addresses that can be retained by users even when they change their Internet Service Provider (ISP). Even if, *arguendo*, "name@@wellknown" of *Tello* were an email address, which Applicant does not agree with, it is not an address that identifies a mailbox containing the user data items viewable at the ISP's mail server. As explained previously, the well-known-name value (i.e., "name@@wellknown") is designed such that the "@@" characters operate as a trigger to alert a sender's ISP, i.e., ISP 100 in *Tello*, that an external "translation service" (e.g., SCP 200) must be accessed before an email message may be transmitted to the intended recipient. Thus it is clear that "name@@wellknown" of *Tello* is not an email address that is viewable by the user.

Based on the foregoing, Applicant respectfully maintains that the present amendments distinguish over the teachings of *Tello*, which has been relied upon to cure the acknowledged deficiencies of

the primary reference of record, i.e., *Eggleston*. Applicant further submits that the various secondary references (i.e., *Carthy, Hall, Murota and Halim* references) applied in the pending Office Action to overcome the cumulative deficiencies of *Eggleston* and *Tello* are without avail with respect to the present amendments.

It is therefore believed that pending base claims 71 and 95 as currently constituted are in condition for allowance over the art of record. Respective dependent claims are also allowable over the art at least for the same reasons.

Reservation of Rights

Notwithstanding the foregoing, Applicant reserves all rights not exercised in connection with this response, such as, e.g., the right to challenge or rebut any tacit or explicit characterization of any reference or of the present claims, the right to challenge any Official Notice(s) taken, the right to challenge or rebut any asserted factual or legal basis of any of the rejections of the present Office Action, or the right to swear behind any cited reference such as provided under 37 C.F.R. §1.131 or otherwise.

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Fee Statement

Compared to the highest number previously paid for, the total number of claims and the number of independent claims have not increased. No extension of the response period is being sought. Applicant is filing herewith two Terminal Disclaimers. Accordingly, payment via electronic filing is being authorized in the applicable amount(s). Accordingly, applicable fees are being paid via electronic filing. If any additional fees are due or any overpayments have been made, however, please charge or credit our deposit account (Deposit Account No. 03-1130).

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SUMMARY AND CONCLUSION

In view of the fact that none of the art of the record, whether considered alone or in combination discloses, anticipates or suggests the pending claims, and in further view of the above amendments and/or remarks, reconsideration of the Action and allowance of the present patent application are respectfully requested and are believed to be appropriate.

Respectfully submitted,

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